



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
West Desert District Office
2370 South Decker Lake Blvd.
West Valley City, Utah 84119
ph: (801) 977-4300; Fax: (801) 977-4397
www.ut.blm.gov/saltlake_fo



In Reply Refer To:
3600 (UTW011)

MAR 24 2015

CERTIFIED MAIL NO. – 7011 1150 0001 4372 1684
RETURN RECEIPT REQUESTED

Western Gypsite, LLC
Dean Formanek
2555 E. Camleback Road, Suite 800
Phoenix, AZ 85016

Dear Mr. Formanek:

On November 12, 2015, the Bureau of Land Management (BLM), Salt Lake Field Office (SLFO) received your application to mine gypsite from public lands located in T. 1 N., R. 13 W., section 1, and T. 1 N., R. 12 W., sections 5,8, and 17, in Tooele County, Utah.

The SLFO believes that gypsite is a common variety mineral and therefore subject to the BLM's Mineral Materials Disposal Regulations at 43 CFR 3600 which allow the BLM the discretion to issue sales for these types of mineral resources.

Processing Fee Category

The Independent Offices Appropriation Act of 1952 (IOAA), 31 U.S.C. 9701 authorizes federal agencies to charge processing costs. The IOAA also states that these charges should pay for the agency services, as much as possible. BLM also has specific authority to charge fees for processing applications and other documents relating to public lands under Section 304 of the Federal Land Policy and Management Act of 1976 (FLPMA) 43 U.S.C. 1734. The IOAA and Section 304 of FLPMA authorize BLM to charge applicants for the cost of processing documents by issuing regulations. The final cost recovery rule, which was published in the Federal Register on October 7, 2005 (70 FR 58854), provides for fixed fees as well as case-by-case fees. A negotiated mineral material sale has been designated as a case-by-case basis as per 43 CFR 3000.11(a). BLM must receive funds prior to continuing any case processing.


A BLM cost estimate to complete processing of your application on the lands in the Knolls area is enclosed. If you agree with the fee estimate, please sign the estimate and submit the payment for the estimated amount to BLM. If you agree with the amount, but would like to make installment payments, please sign the estimate and request a payment schedule. BLM can set up a payment schedule if requested.

If you wish to provide comments on the estimated fee, you have 30 days to provide comments and BLM will review your comments and may make any adjustments to the fee estimate if necessary. After the 30 day comment period is over, BLM will submit a written final fee estimate accompanied by a bill which will be mailed to you. After you receive the bill your payment is due within 30 days and BLM will bill for the entire amount. If in processing the application we encounter higher costs than anticipated, we will provide a revised estimate but processing will not stop. If the bill is less than estimated then BLM will refund any unused funds.

The 43 Code of Federal Regulations Part 3600 that apply to your application can be accessed online at <http://ecfr.gpoaccess.gov/>. Prior to the issuance of a sales contract, your mining and reclamation plan will have to be reviewed and approved by BLM. The approved plan will become one of the alternatives that will be analyzed as part of completing the requirements under the National Environmental Policy Act (NEPA).

If you have any questions, or require additional information, please contact Stephen Allen at (801) 977-4360.

Sincerely,



Rebecca A. Hotze
Field Office Manager

Enclosure: Initial Cost Estimate

cc: UDOGM
Leslie Heppler
1594 West No. Temple, Ste. 1210#
Box 145801
SLC, UT 84114-5801

INITIAL ESTIMATE
FEE ESTIMATE FOR CASE – BY – CASE PROCESSING
Energy & Mineral Resources Cost Recovery

Application Serial Number: UTU- 90843, Mineral Material Sale - Gypsite
Applicant: Western Gypsite, LLC
Address: 2555 E. Camleback Road, Suite 800, Phoenix, AZ 85016

Agent: Same
Address: Same

Application For: Mineral Material Sale for Gypsite

Location:
Knolls Gypsite Dunes, Tooele County, Utah

Other pertinent information:

Estimated Processing Requirements:

Is NEPA analysis required? No ☐ Yes ☒ Type EIS ☐ EA ☒ Other DNA
If "yes" will BLM perform NEPA analysis? Yes ☐ No ☒
If "no" name of 3rd party contractor: TBD

Brief description of Processing Step	Estimated Processing Cost
<u>1. Process Application</u>	<u>\$260</u>
<u>2. Review Mining and Reclamation Plan</u>	<u>\$5,140</u>
<u>3. Prepare/Review NEPA document</u>	<u>\$13,040</u>
<u>4. Estimate Bond</u>	<u>\$ 1,400</u>
<u>5. Process Contract</u>	<u>\$ 260</u>

Total Estimated Fee: \$ \$20,100

Approved by: _____ (Difference due to rounding) Date: _____
BLM Authorized Officer
Approved By: _____ Date: _____
Applicant